

**From:** deal@austin.conexant.com@inetgw  
**To:** Microsoft ATR  
**Date:** 12/10/01 2:24pm  
**Subject:** Microsoft Settlement

I would like to voice my concern about the proposed Microsoft Settlement.

This settlement does little to curb the abuses the Microsoft has employed to become the monopoly that it is today. It has enough loopholes to be ineffective at promoting competition and in fact appears to be written in a manner which actually empowers Microsoft to not share API, protocol, and file format information with non-commercial entities -- the same entities which are currently the biggest threat to Microsoft, open-source programs.

Microsoft has gotten where it is today by bundling applications with the operating system, making these de-facto industry standards (Word, Excel), and then raising prices once dominance has been established (MS Office). It then thwarts competition by changing protocol and file formats to ensure that competing products must continually reverse-engineer just to remain compatible. Microsoft also benefits by forcing everyone to upgrade to the newest office suite every couple of years, since old versions do not support the newer formats. It would not be able to do this if the applications had competition and users had the ability to choose the best implementation of a word processor, etc.

For real competition to exist, Microsoft must design products around open specifications. Microsoft should be given leeway to promote their own protocols, but implementations of these should be open to competition so that the best product will succeed in the marketplace, not just the one that gets shipped with nearly every PC manufactured. This can only occur if Microsoft is forced to develop on a level playing field where all players are privy to the same information.

Microsoft must not be allowed to leverage its monopoly in the operating system arena to other areas of computing. It has already done so with office applications and web browsing and continually tries to do so in other areas such as networking (authentication, SMB, anti-Java practices), audio/video media (audio/video codecs), and the internet (Windows XP MSN Explorer and .NET).

The 1994 Consent Decree did nothing to stop Microsoft's monopolistic practices -- it simply provided the foundation of loopholes for them to exploit. I sincerely hope that this settlement does not turn into another win for Microsoft. To quote Judge Sporkin, "Simply telling a defendant to go forth and sin no more does

little or nothing to address the unfair advantage it has already gained."

Eric Deal

---

Eric Deal	Conexant Systems, Inc
Senior Design Engineer	Digital Infotainment Division
eric.deal@conexant.com	(512) 349-3557

---